

Remarks

Reconsideration and allowance of all claims are respectfully requested. Claims 1-20 remain pending.

In the initial Office Action, claims 1-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Rezvani et al. (U.S. Patent Publication No. 2002/0103897 A1; hereinafter Rezvani). This rejection is respectfully traversed to any extent deemed applicable to the claims presented herewith, and reconsideration thereof is requested.

By this paper, independent claims 1, 11 & 16 are amended to more particularly point out and distinctly claim certain aspects of the present invention. For example, Applicant's independent claims are amended to recite *automatically, periodically retrieving by a browser*, server event data using a refresh frame of a page displayed by the browser. The refresh frame is part of a frameset of the browser, and the frameset includes the refresh frame and a data frame. The invention further includes updating by the browser a portion of the data frame of the page with event data retrieved using the refresh frame, and the updating includes employing code understood natively by the browser. Support for the amended language can be found throughout the application as filed. For example, reference paragraphs [0013] – [0016], [0021] & [0024]. Thus, no new matter is added to the application by any amendment presented.

Applicant respectfully submits that the independent claims presented herewith patentably distinguish over the applied and known art for a number of reasons. First, Applicant recites *automatically, periodically retrieving by a browser server event data*. In Applicant's recited invention, no user intervention is required to retrieve or update event data of a page displayed by the browser (see paragraph [0041] of specification). In contrast, Rezvani depicts a communications environment wherein a remote site 14 employs a monitoring module 28 in monitoring a device 32, as shown in FIG. 1 thereof. The monitoring module 28 resides on a first node 18 containing a client access device 22 with a browser 26. Remote site 14 is shown to include a web server 46 and a database server 48. As described in paragraph [0048] of Rezvani, monitoring module 28 may employ heartbeat processes *52 to update device state information at remote site 14*. A heartbeat in Rezvani is a periodic communication from monitoring module 28 to remote site 14 containing updated state information for devices 32 associated with monitoring

module 28. Applicant respectfully submits that this teaching is not relevant to the recited functionality of the independent claims presented.

In Rezvani, a monitoring module is employed to send updates *to a server*. Contrasted with this process is Applicant's recited invention, wherein there is an automatic, periodic retrieval *by a browser* of server event data. Since Rezvani fails to teach this aspect of Applicant's recited invention, there can be no anticipation of Applicant's recited invention based thereon.

In addition, Applicant's independent claims recite that the automatic, periodic retrieving by the browser of the server event data *uses a refresh frame of a page displayed by the browser*, wherein the refresh frame is part of a frameset of the browser, and the frameset includes the refresh frame and the data frame. Further, Applicant's independent claims recite that *the refresh frame is a hidden, zero-width frame* and the data frame is a visible frame including an application interface. Applicant respectfully submits that there is no teaching or suggestion in Rezvani, or the other art of record, of a frameset of a browser wherein a refresh frame is defined as a hidden, zero-width frame (i.e., a non-visible frame) and the data frame is a visible frame. Advantageously, Applicant employs the recited refresh frame to allow event data information displayed in a portion of a page to be dynamically and automatically updated *while minimizing network utilization and server load, without requiring an entire page or an entire visible frame (i.e., data frame) to be redrawn by the browser*.

In Applicant's recited invention, the refresh frame, defined as a hidden, zero-width frame, is employed in retrieving server event data. Applicant respectfully submits that a careful reading of Rezvani fails to uncover any teaching or suggestion of a similar concept. Based on Applicant's recited definition of *refresh frame* in the independent claims, it is respectfully submit that the independent claims patentably distinguish over the known art. There is no teaching or suggestion in Rezvani of a refresh frame *per se*, defined as recited in Applicant's independent claims, let alone the employing of such a refresh frame in an automatic, periodic retrieval of server event data, as recited in the claims presented. For these additional reasons, Applicant respectfully submits that the independent claims presented patentably distinguish over the applied art.

With respect to Applicant's initially-recited claim, paragraphs [0005], [0006] & [0048] of Rezvani were cited. However, there is no discussion in these paragraphs, or in the other paragraphs of Rezvani, of a refresh frame defined as recited in Applicant's invention. Further, there is no use of a refresh frame as set forth in the recited protocol of Applicant's independent claims. As such, reconsideration and withdrawal of the anticipation rejection to the independent claims based on Rezvani is respectfully requested.

Applicant's independent claims further recite updating by the browser a portion of the data frame of the page with event data retrieved using the refresh frame, wherein the updating includes employing code understood natively by the browser. Applicant respectfully submits that a careful reading of Rezvani fails to uncover any teaching or suggestion of a similar protocol. Cited against this process of Applicant's invention are paragraphs [0005], [0006], [0015], [0022], [0042] & [0039] of Rezvani. However, none of these paragraphs teach updating *by a browser a portion of a data frame of a page being displayed* by the browser with event data retrieved using a refresh frame as the refresh frame is defined by Applicant's independent claims. To the extent relevant, the cited paragraphs of Rezvani simply establish the existence of a server browser device communications environment. However, there is no updating by the browser of a portion of a data frame employing event data retrieved by a hidden, zero-width refresh frame, as recited in Applicant's invention. To the extent that information is being updated in Rezvani, the cited paragraphs discuss updating server information using information obtained from the client side monitor module which is monitoring the device.

For at least the above-noted reasons, Applicant respectfully submits that the independent claims presented patentably distinguish over Rezvani, and the other art of record.

The dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations.

For example, claims 5, 13 & 18 recite that the frameset includes a plurality of data frames, and that the automatically, periodically updating includes associating with the refresh frame a parameter that identifies one data frame of the plurality of data frames for which server event data is to be retrieved. Thus, in Applicant's recited invention, a single refresh frame is used to automatically, periodically retrieve server event data on one data frame of the plurality of

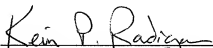
data frames associated with a page displayed by the browser. No similar functionality is believed taught or suggested by the art of record.

Similarly, dependent claims 6, 14 & 19 recite the further process of subsequently calling by the one data frame a function to stop the automatically, periodically retrieving of event data for that data frame. No similar protocol is believed taught or suggested in the applied or known art.

For at least the above-noted reasons, Applicant respectfully submits that all claims presented are in condition for allowance, and such action is respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,


Kevin P. Radigan
Attorney for Applicants
Registration No.: 31,789

Dated: September 14, 2007.

HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203-5160
Telephone: (518) 452-5600
Facsimile: (518) 452-5579